

71-C-296



TITLE OF CASE			ATTORNEYS			
MILLARD P. BUCK and DOROTHY J. BUCK  vs  UNITED STATES OF AMERICA			For plaintiff: William D. Lunn Wilcoxon, Gephart, Lunn & Mayes 505 W. Okmulgee P. O. Box 1842 Muskogee, Oklahoma 74401			
			For defendant: Jack Short 460 U. S. Courthouse Tulsa, Oklahoma 74103  John M. Dowd, Tax Division U.S.Dept. of Justice Washington, D. C. 20530			
STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 9-1-71	Clerk		8-19-71 8-26-71	Lunn C.D.No. 10	15 00	15 00
J.S. 6 mailed 2-1-72	Marshal					
Basis of Action: Injunction	Docket fee					
	Witness fees					
Action arose at:	Depositions					

DATE	PROCEEDINGS	Date Order or Judgment Noted
8-19-71	Complaint filed. <del>Summons issued.</del> r	
8-19-71	Brief in support of Application for temporary Restraining Order, filed. r	
8-19-71	Certificate of attorney in support of application for temporary restraining order, filed. m	
8-24-71	Ordered by the Court that case is set for hearing on order to show cause why preliminary injunction should not be issued on Thursday, Sept. 9, 1971, at 9:30 a.m. (LB-J)m (notices mailed)	
8-24-71	Pltfs' motion for preliminary injunction, filed. m	
8-24-71	Affidavit in support of motion for preliminary injunction, filed. m	
8-24-71	Summons issued (complaint, motion, brief, affidavit and certificate)m	
8-30-71	Return on U.S. Marshals Service, Summons. Served Attorney General & U.S. District Attorney for the Northern District of Oklahoma in Washington, D. C. and Tulsa, Okla., respectively. Served on 8-24-71 with fees of \$3.00. Filed. v	
	Return on U.S. Marshals Service, Summons. Served District Director, Internal Revenue Service in Oklahoma City, Okla., on 8-25-71 with fees of \$4.00. Filed. v	
9-7-71	Defendant's Motion to dismiss, filed. v	
9-7-71	Memorandum of Law in support of defendant's Motion to dismiss, filed. v	
9-9-71	Case called for hearing on order to show cause and deft's motion to dismiss. Court enters an order directing Commissioner to pay in full the taxes, interest and penalties from oldest year forward; further ordered that the \$60,000.00 cashier's check be endorsed forthwith by plaintiff's accountant and delivered to IRS. Deft's motion to dismiss moot. Pltf. to prepare order. (LB-J)m	
10-15-71	Findings of Fact and Conclusions of Law, filed. (LB-J)m (copies mailed)	
10-15-71	Temporary injunction, filed, enjoining the deft. from applying proceeds of payments heretofore & hereafter received from pltfs. & from the seizure of pltfs' property in any manner other than in full payment of the tax, penalty & accrued int. to the date of payment or seizure in chronological order of due dates of certain returns. (LB-J)m (copies mailed)	
10-26-71	Defendant's motion to amend findings of fact and conclusions of law, filed. g cpy to pltf. counsel.	
10-26-71	Memorandum of Law in support of Deft.'s Motion to Amend Findings of Fact and Conclusions of Law, filed. v	
11-29-71	Case called for hearing on deft's motion to amend findings of fact and conclusions of law. Court takes motion under advisement and will enter an order. (LB-J)m	
1-20-72	Order, filed and entered, that deft's motion to amend F/F & C/L is denied and further proceedings are not called for. (LB-J)hm (copies mailed)	
2-23-72	Transcript of hearing to show cause, etc., 9-9-71, filed. (FMS-CSR)g	
3-13-72	Notice of appeal by defendant, filed. cpy to USCA, & Lunn. g	
4-5-72	Appeal record in 2 vols. (orig. + 3 cpies) sent to USCA. g	
9-18-72	Order of dismissal, filed, based upon the opinion, order and judgment of the USCA for 10th Circuit, which stated that "case is reversed with directions to dismiss the action". (LB-J)hm (copies mailed)	
10-6-72	Mandate & Opinion of USCA reversing judgment of 10-15-71, with directions to dismiss the action, filed and spread of record. g	
10-25-72	Orig. record (in 2 vols.) received from USCA. rm	